IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO.2713 OF 2007

Jahangir Dinshaw Irani ..Petitioner.
Vs.
Dr.Khodu S. Irani and Anr. .Respondents.

Mr.O.S.Kini i/b Suresh Dubey, advs. for the Petitioner.
Mr.R.G.Ketkar, adv. for the Respondent No.1.

CORAM : J.H.BHATIA, J.
DATE : JULY 20, 2007.

P.C.

1. Heard the learned counsel for the Parties.

2. In view of the fact that the petitioner and the respondent no.1 both appear to be co-owners of the disputed property and as Special Civil Suit No.134 of 1995 is pending for partition of ancestral family property in which both of them are parties, with consent of the learned counsel, I pass following order:

3. As far as disputed property is concerned, the trial Court shall appoint Court Receiver pending decision in Civil Suit no.134 of 1995 and the petitioner or the respondent no.1 may be put in possession of the disputed property as an agent of the Court Receiver depending on the bids made by them. Parties shall appear before the Trial Court and

co-operate with the trial Court in disposing off the said suit no.134 of 1995 at the earliest.

4. Observations made by both the Courts below shall not come in a way of either of the parties.

5. Petition stands disposed off with aforesaid directions.

[J.H.BHATIA, J.]